

ATTACHMENT 1

Throughout the Commission's 9-1-1 Orders, it has been sensitive to the different technical characteristics, capabilities, and uses of different technologies and services. Thus, in the *E-911 Scope Order*, the Commission imposed established significantly different regulatory obligations Mobile Satellite Service ("MSS"), Multi-Line Telephone Systems ("MLTS"), Telematics, Resold and Pre-paid Calling, Disposable Phones and Personal Data Assistants ("PDAs"), and Automated Maritime Telecommunications Systems ("AMTS"), respectively. MSS carriers, for example, that "provid[e] real-time, two-way, switched voice service that is interconnected with the public switched network," are obligated to establish call centers to which all subscriber emergency calls are routed and then forwarded to an appropriate PSAP.¹ This obligation was imposed as an interim measure until a full E-911 implementation schedule could be developed.

In imposing the call center obligation, the Commission concluded that "the inability of satellite carriers to provide basic 911 service at the present time convinces us that emergency call centers are an appropriate first step for MSS carriers."² Under the *E-911 Scope Order*, MSS carriers must ensure that callers access call centers by dialing "911," that call centers ascertain the caller's phone number and location, and that call centers transfer or forward the call to an appropriate PSAP. They are not required to use dedicated trunks to route 911 calls.³ The *E-911 Scope Order* also states that MSS carriers need not compile PSAP databases, since several alternatives, including commercially available databases and NENA's national PSAP registry, may be used by MSS carriers.⁴ The order also concludes that location determination requirements are not warranted at this time, as MSS carriers are currently unable to determine caller location with precision, and individual MSS carriers offer different location capabilities.⁵

¹ *Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems Amendment of Parts 2 and 25 to Implement the Global Mobile Personal Communications by Satellite (GMPCS) Memorandum of Understanding and Arrangements; Petition of the National Telecommunications and Information Administration to Amend Part 25 of the Commission's Rules to Establish Emissions Limits for Mobile and Portable Earth Stations Operating in the 1610-1660.5 MHz Band*, Report and Order and Second Further Notice of Proposed Rulemaking, 17 FCC Rcd 25576, ¶ 20 (2002) ("E-911 Scope Order").

² *E-911 Scope Order*, ¶ 24.

³ See *E-911 Scope Order*, ¶ 31.

⁴ See *E-911 Scope Order*, ¶ 32

⁵ See *E-911 Scope Order*, ¶ 35. In rendering this decision, the Commission noted that although an MSS carrier may have a nationwide footprint, they may have only limited PSTN interconnection points (unlike CMRS providers with PSTN interconnection points throughout their networks). As such, the cost of establishing 911 trunks between gateway stations and all PSAPs throughout the nation would be substantial. See *E-911 Scope Order*, ¶ 37.

The FCC determined not to impose new 911 obligations on MLTS operators, in light of steps toward E-911 compliance already taken by these entities, but expressed its willingness to do so if necessary.⁶

Resold and pre-paid calling likewise received different treatment. The Commission explained that there should be independent obligations on resellers and pre-paid calling providers to comply with the Commission's E-911 rules to the extent that the underlying facilities-based licensee used by the reseller has deployed the facilities necessary to deliver E-911 information to the appropriate PSAP.⁷ In making its determination, the Commission noted that its aim was to "minimize the possibility for confusion by consumers, who expect all of the benefits of wireless service, whether provided by a licensee or a reseller."⁸ In rendering its decision that resellers, pre-paid calling providers and underlying licensees should all be required to provide access to E-911 services, the Commission noted that it is unnecessary to place separate requirements on PDAs or disposable phones, as the services available on these devices would be provided by carriers with E-911 obligations.⁹

Finally, the Commission declined to require AMTS to provide E-911 services in the *E-911 Scope Order*. The Commission noted that AMTS is a specialized voice and data service used primarily by tugs, barges and other vessels on waterways. This specialized group of users have no expectation of reaching a PSAP through traditional 911 calling. Instead, they reach emergency service personnel by radioing the Coast Guard for assistance.¹⁰

⁶ See *E-911 Scope Order*, ¶ 54.

⁷ See *E-911 Scope Order*, ¶ 91.

⁸ *E-911 Scope Order*, ¶ 96.

⁹ See *E-911 Scope Order*, ¶ 101.

¹⁰ See *E-911 Scope Order*, ¶ 106.